

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

In re:)	Chapter 11
)	
Empire Die Casting Co., Inc.)	Case No. 13-52996
)	
Debtor.)	
)	Judge Marilyn Shea-Stonum

**NOTICE OF THE DEBTOR'S MOTION FOR ENTRY OF ORDERS (I) APPROVING
BIDDING PROCEDURES (II) SCHEDULING AN AUCTION OF DEBTOR'S ASSETS
AND A HEARING TO CONSIDER THE SALE OF THE DEBTOR'S ASSETS AND TO
APPROVE THE FORM AND MANNER OF NOTICE RELATED THERETO, (III)
APPROVING THE SALE OF THE ASSETS, OR ANY SUBSET THERETO, TO THE
PROONENTS OF THE HIGHEST AND BEST BIDS FREE AND CLEAR OF ALL
LIENS, CLAIMS AND INTERESTS; AND (IV) APPROVING THE PROCEDURES TO
PROVIDE NOTICE OF ASSUMPTION AND ASSIGNMENT OF LEASES AND
CONTRACTS, AND FIXING CURE AMOUNTS THEREON**

PLEASE TAKE NOTICE THAT on October 21, 2013, the above-captioned debtor and debtor-in-possession (collectively, the "Debtor"), filed with the Court its Motion for the Entry of Orders (a) approving the bidding procedures to be used in connection with the proposed sale of substantially all of the Debtor's assets, or any subset thereof (the "Assets" or Acquired Assets") to New Growth Capital Group, LLC (the "Purchaser") subject to higher and better offers pursuant to Sections 105, 363, and 365 of Title 11 of the United States Code, Federal Rules of Bankruptcy Procedure 2002(a)(2), 6004 and 6006, including the terms of the Letter of Intent; (b) scheduling an auction (the "Auction") and a hearing (the "Sale Hearing") to consider the sale and approve the form and manner of notice related thereto; (c) approving the sale of the Assets, or any subset thereto, to the proponents of the highest and best bids; (d) approving the procedures to provide notice of assumption and assignment of leases and contracts and fixing the cure amounts thereon; and (e) seeking other related relief (the "Motion").

Your rights may be affected. You should read the Motion and the Bid Procedures proposed in the Motion carefully and discuss it with your attorney, if you have one in these bankruptcy cases. (If you do not have an attorney, you may wish to consult one).

Objection Deadline and Hearing Regarding Bid and Notice Procedures

Pursuant to Local Rule 9013-1(b), if you do not want the Court to approve the Bid Procedures and the proposed form of notice of the Auction and the Sale Hearing, as requested in the Motion, or if you want the Court to consider your views on the Motion (as it relates to the request for approval of the Bid Procedures or the form of notice of the auction and the Sale Hearing), then you must file a written response with the Court explaining your position (i) on or before **October 30, 2013**, if you are any party, other than any Official Committee of Unsecured Creditors appointed in this case; or (ii) on or before **November 4, 2013 at 12:00 p.m.**, if you are the Official Committee of Unsecured Creditors appointed in this case. You must file your written response at:

United States Bankruptcy Court
Office of the Clerk
455 U.S. Courthouse
2 South Main Street
Akron, Ohio 44308

You must also serve a copy of your request on the undersigned counsel:

Marc B. Merklin
Kate M. Bradley
Brouse McDowell LPA
388 S. Main Street, Suite 500
Akron, Ohio 44311
Proposed Counsel for the Debtor

If you file a response, you must also participate in the *telephonic* pre-hearing conference that the Court will hold on **November 4, 2013 at 3:00 p.m.** The call-in information for the pre-

hearing conference is 888-684-8852, ACCESS CODE: 5438004#, PARTICIPANT CODE: 52996#.

You must also attend the Hearing, which will be held on **November 5, 2013 at 8:30 a.m.** in in the Bankruptcy Courtroom at the United States Bankruptcy Court, 455 U.S. Courthouse, 2 South Main Street, Akron, Ohio 44308.

Pursuant to Local Rule 9013-1(d), if you or your attorneys do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion (as it relates to the request for approval of the Bid Procedures and the form of notice of the auction and the Sale Hearing) and may grant the Motion (as it relates to the Bid Procedures and the form of notice of the auction and the Sale Hearing) without conducting a hearing or further notice to you.

Object to Sale

In the Motion, the Debtor is asking the Court to establish Bid Procedures, including scheduling the proposed Auction, setting a Sale Hearing, and designating a date to object to the proposed sale. After the Court establishes these dates and deadlines and directs how further notice should be sent, the Debtor will provide you with notice of the Sale Hearing and the sale objection deadline.

DATED: October 21, 2013

Respectfully submitted,

/s/ Marc B. Merklin
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